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- and -

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Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re:

CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)

Chapter 11

<u>et</u> <u>al</u>.,

- - - - - - - - x

Debtors. : Jointly Administered

## SUPPLEMENTAL ORDER ON DEBTORS' FORTY-THIRD OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN LATE CLAIMS)

THIS MATTER having come before the Court on the Debtors' Forty-Third Omnibus Objection to Claims (Disallowance of Certain Late Claims) (the "Objection"); and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection

need be given; and it further appearing that certain claimants filed responses to the Objection; and the Court having entered the Order on Debtors' Forty-Third Omnibus Objection to Claims (Disallowance of Certain Late Claims) (Docket No. 5785) (the "Initial Order"); and it appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

#### IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. Notwithstanding the Initial Order, the Objection is withdrawn without prejudice as to the claims identified on <a href="Exhibit A">Exhibit A</a> (as attached hereto and incorporated herein); <a href="provided">provided</a>, further, that the Debtors' rights and abilities to object to the claims on <a href="Exhibit A">Exhibit A</a> on any available grounds and bases applicable law permits are hereby preserved in their entirety and nothing herein shall be construed or deemed to limit or impair such rights and abilities.
- 2. The Debtors' rights to object to any claim, including (without limitation) the Claims, on any grounds that applicable law permits are not waived and are expressly reserved.

- 3. This Court shall retain jurisdiction with respect to all matters arising from or related to this Order.
- 4. The Debtors shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

Dated: Richmond, Virginia Feb 21 2010 , 2010

/s/ Kevin R. Huennekens

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Feb 23 2010

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
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- and -

/s/ Douglas M. Foley

Dion W. Hayes (VSB No. 34304)
Douglas M. Foley (VSB No. 34364)
MCGUIREWOODS LLP
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901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000

Counsel to the Debtors and Debtors in Possession

#### CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

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Case 08-35653-KRH Doc 6652 Filed 02/25/10 Entered 02/26/10 00:52:59 Desc In re: Circuit City Stores, Inc, et maged Certificate of Service Page 50 ft 6rs' Forty-Third Omnibus Objection to Claims Case No. 08-35653-KRH

Supplemental Order On (Late Claims To Be Disallowed) - Withdrawn

### **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT*		DATE FILED	DOCKETED DEBTOR
HARRISON, DAVID 5115 VERMONT DRIVE EASTON, PA 18045	13027	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	\$165.96 \$165.96	05/07/2009	CIRCUIT CITY STORES, INC. (08-35653)
JONES III LOUIS C 17 SPRING HARBOR ALISO VIEJO, CA 92656	13632	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$15,000.00 \$15,000.00	06/26/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)

Total: 2 \$15,165.96

# Case 08-35653-KRH Doc 6652 Filed 02/25/10 Entered 02/26/10 00:52:59 Desc CERTIFICATE OF SOLUTION OF THE CONTROL OF THE CONTR

District/off: 0422-7 Case: 08-35653

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Page 1 of 1 Total Noticed: 1 Date Rcvd: Feb 23, 2010

The following entities were noticed by first class mail on Feb 25, 2010.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq.,

Wilmington, DE 19899-0636 PO Box 636,

The following entities were noticed by electronic transmission.

TOTAL: 0

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

Addresses marked  $^{\prime +\prime}$  were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 25, 2010

Joseph Speetjins